

## MEMORANDUM

Agenda Item No. 10(A)(8)

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**TO:** Honorable Chairperson Barbara Carey-Shuler, Ed.D.  
and Members, Board of County Commissioners

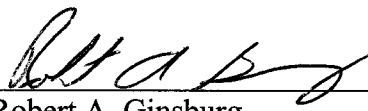
**DATE:** March 16, 2004

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Resolution relating to  
effective date of contractual  
items

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The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Jose "Pepe" Diaz.

  
\_\_\_\_\_  
Robert A. Ginsburg  
County Attorney

RAG/bw



# MEMORANDUM

(Revised)

**TO:** Hon. Chairperson Barbara Carey-Shuler, Ed.D.  
and Members, Board of County Commissioners

**DATE:** March 16, 2004

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Agenda Item No. 10(A)(8)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved \_\_\_\_\_ Mayor

Agenda Item No. 10(A)(8)

Veto \_\_\_\_\_

3-16-04

Override \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION DIRECTING COUNTY MANAGER TO INCLUDE IN ANY PROPOSED RESOLUTION OR OTHER REQUEST SUBMITTED TO THE COUNTY COMMISSION FOR APPROVAL OF A CONTRACT, LANGUAGE PROVIDING THAT THE RESOLUTION AND CONTRACT SHALL NOT BECOME EFFECTIVE UNTIL THE TIME FOR MAKING A MOTION TO RECONSIDER HAS EXPIRED AND, IF RECONSIDERED, SHALL BECOME EFFECTIVE ONLY UPON SUBSEQUENT APPROVAL OF THE COMMISSION; PROVIDING TIME LIMITATION; DIRECTING THE COUNTY MANAGER TO INCLUDE LANGUAGE IN CONTRACT SPECIFICATIONS TO LIKE EFFECT; AND PROVIDING A WAIVER**

**BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF  
MIAMI-DADE COUNTY, FLORIDA:**

Section 1. The County Manager shall be and is hereby directed to include language in any proposed resolution or other request submitted to the County Commission for approval of a contract and for authority to execute a contract on the County's behalf, expressly providing that the resolution and contract shall not become effective until the time for making a motion to reconsider such approval has expired and, if reconsidered, shall become effective only upon subsequent approval of the County Commission.

Section 2. Such proposed resolution or other request shall also contain language providing that the effective date shall be not later than sixty (60) days following Commission adoption of the resolution, notwithstanding the allowance for reconsideration set forth above.

Section 3. The County Manager is directed to include in contract specifications the language required to give effect to this resolution.

Section 4. The County Manager may recommend that the requirements of this resolution be waived for a specific contract when the Manager deems it to be in the best interests of the County.

The foregoing resolution was sponsored by Commissioner Jose "Pepe" Diaz and offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Dr. Barbara Carey-Shuler, Chairperson	
Katy Sorenson, Vice-Chairperson	
Bruno A. Barreiro	Jose "Pepe" Diaz
Betty T. Ferguson	Sally A. Heyman
Joe A. Martinez	Jimmy L. Morales
Dennis C. Moss	Dorrian D. Rolle
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 16th day of March, 2004. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



R. A. Cuevas, Jr.